



City of Dublin

Office of the City Manager

5200 Emerald Parkway • Dublin, OH 43017-1090

Phone: 614-410-4400 • Fax: 614-410-4490

Memo

To: Members of Dublin City Council

From: Marsha I. Grigsby, City Manager 

Date: April 18, 2013

Initiated By: Sara Ott, Sr. Project Manager

Re: Ordinance 32-13 – Authorizing the City Manager to Execute Necessary Conveyance Documentation to Acquire a 0.144 Acres, More or Less, Fee Simple Interest that is Present Road Occupied Property; a 0.010 Acres, More or Less, Permanent Multi-Use, Utility, Grading and Drainage Easement; and a 0.021 Acres, More or Less Temporary Easement, from Sean M. and Jennifer K. Smith.

Background

The City of Dublin ("City") is preparing to construct a shared-use path on the southern side of Brand Road between Muirfield Drive and Earlington Parkway (the "Project"). The City must obtain property interests from various landowners located within the City in order to construct this project. The City presented offers based, upon appraisals, to each of these landowners.

One of the landowners that the City must obtain property interests from for the construction of the Project is Sean M. and Jennifer K. Smith (the "Grantor"). After engaging in amicable negotiations, the City has come to an agreement with the Grantor to acquire these necessary property interests pursuant to the terms outlined in this memorandum.

Acquisition

The City will acquire from the Grantor only those property interests necessary for the construction of the Project as depicted in the legal descriptions and maps attached to this memorandum. The City will acquire these property interests for the appraised value. The acquisition is detailed below:

<i>Property Interest Acquiring</i>	<i>PROPOSED ACRES</i>	<i>APPRAISED COST</i>
Present Road Occupied (P.R.O.)	0.144	\$1
Permanent Multi-Use, Utility, Grading and Drainage Easement	0.010	\$699
Temporary Construction and Grading Easements	0.021	\$250
Vegetation/Natural Growth Being Removed		\$300
Total		\$ 1,250

Recommendation

Ordinance 32-13 authorizes the City Manager to execute all necessary conveyance documentation to formally acquire the necessary property interests described above. Staff recommends approval of Ordinance 32-13 at the second reading/public hearing on May 6, 2013 as obtaining the property interests is necessary for the furtherance of this project.

RECORD OF ORDINANCES

32-13

Ordinance No. _____

Passed _____, 20____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE NECESSARY CONVEYANCE DOCUMENTATION TO ACQUIRE A 0.144 ACRES, MORE OR LESS, FEE SIMPLE INTEREST THAT IS PRESENT ROAD OCCUPIED PROPERTY; A 0.010 ACRES, MORE OR LESS, PERMANENT MULTI-USE, UTILITY, GRADING AND DRAINAGE EASEMENT; AND A 0.021 ACRES, MORE OR LESS, TEMPORARY EASEMENT, FROM SEAN M. AND JENNIFER K. SMITH

WHEREAS, the City of Dublin (the "City") is preparing to construct a multi-use path along Brand Road (the "Project"); and

WHEREAS, said project requires that the City obtain certain property interests within Franklin County Parcel No. 273-000446 owned by Sean M. and Jennifer K. Smith (the "Grantors"), with an address of 5525 Brand Road, said property interests more fully described in the Exhibits labeled "A" and depicted in the Exhibits labeled "B", all attached hereto; and

WHEREAS, the City and the Grantors participated in good faith discussions and have come to mutually agreeable terms for the acquisition of the necessary property interests for the sum of One Thousand Two Hundred Fifty Dollars (\$1,250); and

WHEREAS, the City desires to execute necessary conveyance documentation to complete the transaction between the City and the Grantors.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Dublin, State of Ohio, _____ of the elected members concurring that:

Section 1. The City Manager is hereby authorized to execute all necessary conveyance documentation to acquire an approximate 0.144 acres, more or less, fee simple interest that is present road occupied property; a 0.010 acres, more or less, permanent multi-use, utility, grading and drainage easement; and a 0.021 acres, more or less, temporary easement from Sean M. and Jennifer K. Smith for the sum of One Thousand Two Hundred Fifty Dollars (\$1,250), said property interests located within Franklin County and identified as Parcel No. 273-000446, and as more fully described and depicted in the attached Exhibits "A" and "B."

Section 2. This Ordinance shall take effect and be in force from and after the earliest date permitted by law.

Passed this _____ day of _____, 2013.

Mayor - Presiding Officer

ATTEST:

Clerk of Council

EXHIBIT A

Page 1 of 1
CIP 11-022-CIP
PARCEL 9-WD
PROJECT BRAND SUP
Version Date 12/10/12

**PARCEL 9-WD
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey Number 2543, being a part of a 1.000 acre tract in the name of Jennifer K. & Sean M. Smith, as recorded in Instrument No. 201008120103377, all records are referenced to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at an 3/4" I.D. iron pipe (found) at the northwesterly corner of a 1.269 acre tract known as the 4th Amendment to The Villas of Earlington Condominium, as recorded in Condo Plat Book 72, Page 21, also being the southwesterly corner of a 0.184 acre tract in the name of the City of Dublin, as recorded in Plat Book 83, Page 3;

Thence, North 30°07'57" East, a distance of 10.00 feet, with the westerly line of said 0.184 acre tract, to an iron pipe (set) on the southerly existing highway easement for Brand Road, and being the **True Place of Beginning** for the parcel herein described:

Thence, North 59°52'03" West, a distance of 208.59 feet, leaving said property line, being parallel with and 30.00 feet perpendicular to the centerline of Brand Road, to an iron pipe (set) on the easterly line of a 0.343 acre tract in the name of the City of Dublin, as recorded in Plat Book 83, Page 3;

Thence, North 30°07'57" East, a distance of 30.00 feet, along the easterly line of said 0.343 acre tract, to a magnail (set) at the northeasterly corner of said 0.343 acre tract, in the centerline of Brand Road;

Thence, South 59°52'03" East, a distance of 208.59 feet, along the centerline of Brand Road, to a magnail (set) at the northwesterly corner of a 0.184 acre tract in the name of the City of Dublin, as recorded in Plat Book 83, Page 3;

Thence, South 30°07'57" West, a distance of 30.00 feet, along the westerly line of said 0.184 acre tract, to the **True Place of Beginning**, containing 0.144 acres more or less, of which 0.144 acres is in the Present Roadway Occupied (P.R.O.).

Iron Pipes set are 3/4 inch inside diameter iron pipes, 30 inches long, with a yellow cap stamped "W.E. STILSON".

The bearings for this description are based on the bearing between Franklin County Engineer's stations "MCNEAL" and "FCGS 6648" being South 15°07'52" East, as measured using GPS methods and the Ohio State Plane Coordinate System, South Zone, NAD 83 (1986 Adjustment).

I hereby certify this description was written by using measurements obtained by an actual field survey conducted under my direct supervision.

John Jeffrey Raab
John Jeffrey Raab, Ohio Registered Surveyor No 7863

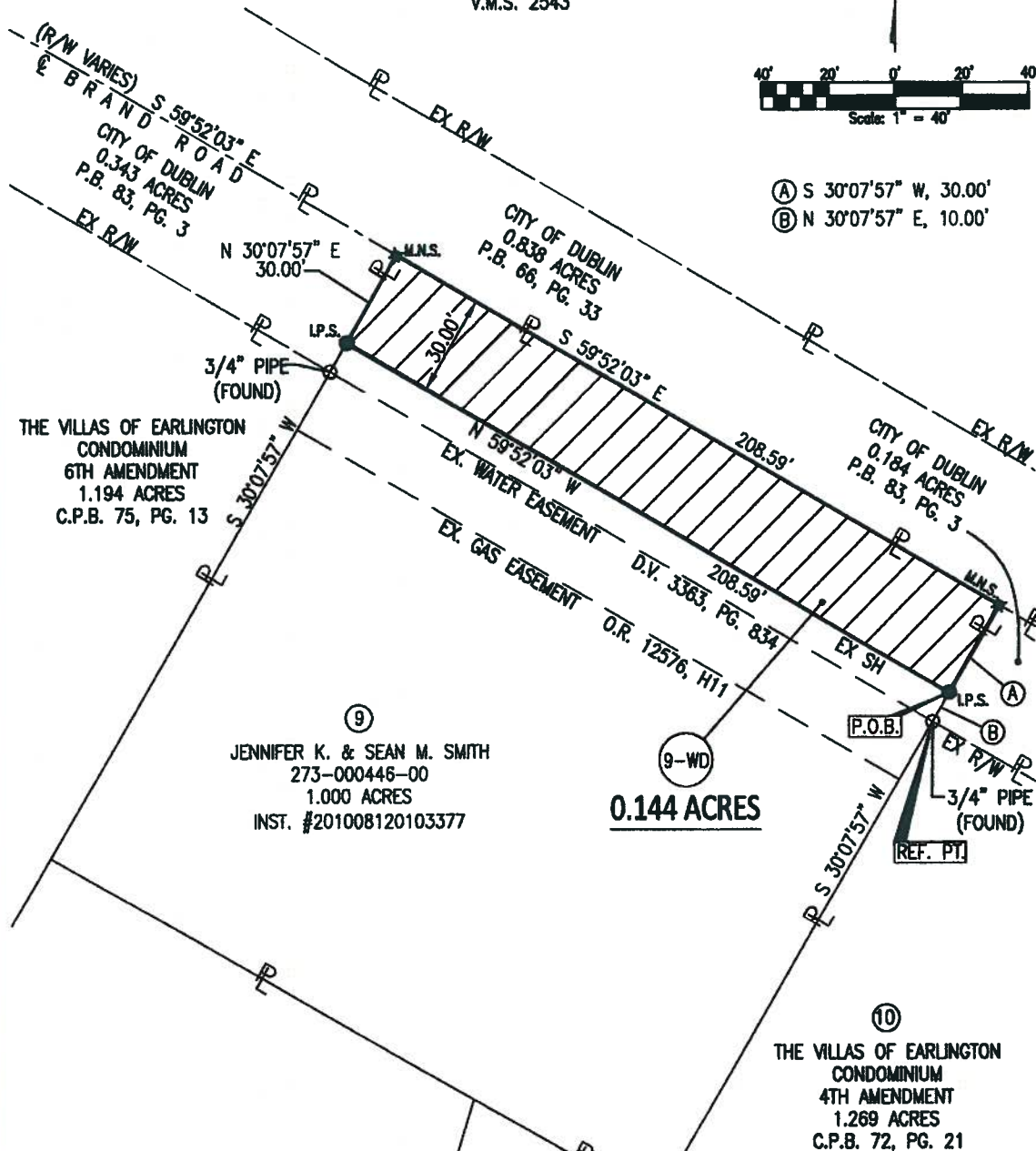
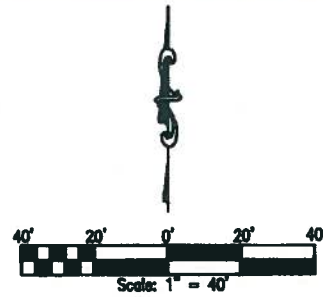
12/10/12
Date

Prepared by: W.E. Stilson Consulting Group, LLC.
Job No.: 111013.00
(Auditor's Parcel No. 273-000446-00)



0.107-E
SPLIT
0.144 AC
OUT OF
(273)
000 446

EXHIBIT B
PARCEL 9-WD
BRAND ROAD SHARED-USE PATH
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO
 V.M.S. 2543



W.E. STILSON
 CONSULTING GROUP

Pride in the Details. Passion in our People.
 355 E. CAMPUS VIEW BLVD
 COLUMBUS, OH 43235
 (614) 847-4670

John Jeffrey Raab 12/12/12
 JOHN JEFFREY RAAB, P.S. 7863 DATE

LEGEND:

- IRON MONUMENT FOUND
- I.P.S. 3/4" I.D. PIPE SET W/CAP STAMPED "W.E. STILSON"
- M.N.S. MAGNAIL SET

BASIS OF BEARINGS:

THE BEARINGS FOR THIS SURVEY ARE BASED ON THE BEARING BETWEEN FRANKLIN COUNTY ENGINEER'S STATIONS "MCNEAL" AND "FCGS 6648" BEING S 15°07'52" E, AS MEASURED USING GPS METHODS AND THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 83 (1986 ADJUSTMENT).

EXHIBIT A

Page 1 of 1
CIP 11-022-CIP
PARCEL 9-P
PROJECT BRAND SUP
Version Date 01/17/13

**PARCEL 9-P
DESCRIPTION OF A PERMANENT EASEMENT
FOR A SHARED-USE PATH, UTILITIES, DRAINAGE AND GRADING**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey Number 2543, being a part of a 1.000 acre tract in the name of Jennifer K. & Sean M. Smith, as recorded in Instrument No. 201008120103377, all records are referenced to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at the northwesterly corner of said 1.000 acre tract, said corner being on the centerline of Brand Road, and also being the northeasterly corner of a 0.343 acre tract in the name of the City of Dublin, as recorded in Plat Book 83, Page 3;

Thence, South 30°07'57" West, a distance of 30.00 feet, with the easterly line of said 0.343 acre tract, to the **True Place of Beginning** for the easement herein described:

Thence, South 59°52'03" East, a distance of 208.59 feet, leaving said line, being parallel with and 30.00 feet southwesterly from said centerline, running across said 1.000 acre tract, to the westerly line of a 0.184 acre tract in the name of the City of Dublin, as recorded in Plat Book 83, Page 3;

Thence, South 30°07'57" West, a distance of 2.00 feet, with said line, to a point;

Thence, North 59°52'03" West, a distance of 208.59 feet, leaving said line, running across said 1.000 acre tract, to the easterly line of said 0.343 acre tract;

Thence, North 30°07'57" East, a distance of 2.00 feet, with said line, to the **True Place of Beginning**, containing 0.010 acres more or less.

The bearings for this description are based on the bearing between Franklin County Engineer's stations "MCNEAL" and "FCGS 6648" being South 15°07'52" East, as measured using GPS methods and the Ohio State Plane Coordinate System, South Zone, NAD 83 (1986 Adjustment).

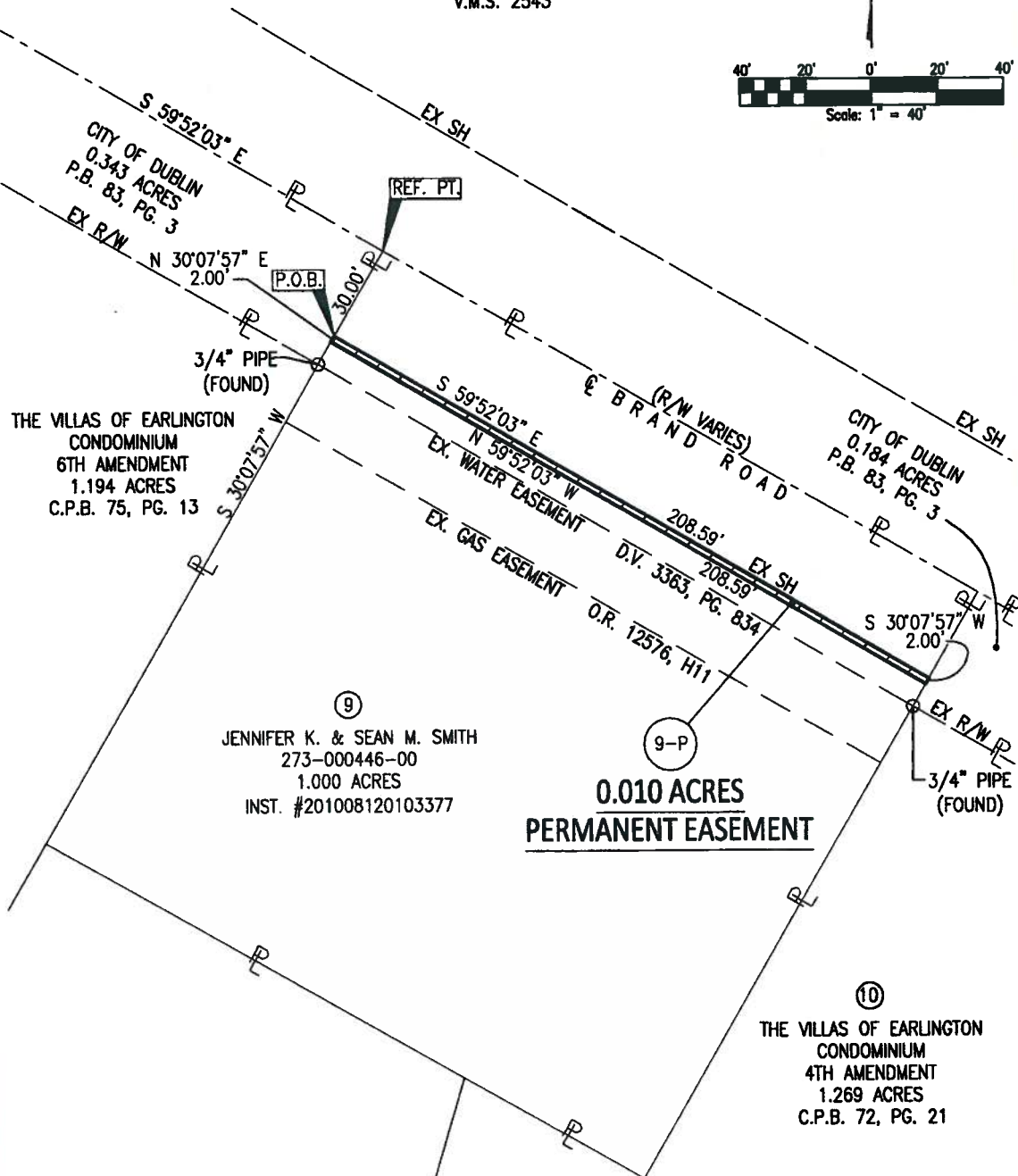
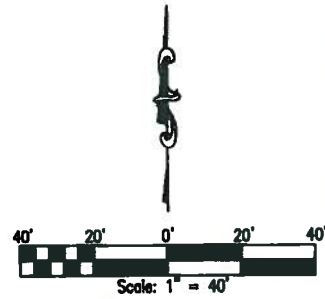
I hereby certify this description was written by using measurements obtained by an actual field survey conducted under my direct supervision.


John Jeffrey Raab, Ohio Registered Surveyor No 7863
Prepared by: W.E. Stilson Consulting Group, LLC.
Job No.: 111013.00
(Auditor's Parcel No. 273-000446-00)

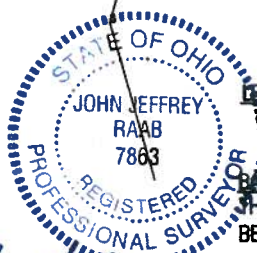
1/18/13
Date



EXHIBIT B
PARCEL 9-P
BRAND ROAD SHARED-USE PATH
 CITY OF DUBLIN, FRANKLIN COUNTY, OHIO
 V.M.S. 2543



W.E. STILSON
 CONSULTING GROUP
 Pride in the Details. Passion in our People.
 355 E. CAMPUS VIEW BLVD
 COLUMBUS, OH 43235
 (614) 847-4670



LEGEND:
 IRON MONUMENT FOUND

BASIS OF BEARINGS:

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JOHN JEFFREY RAAB, P.S. 7863

DATE

11/20/12

EXHIBIT A

Page 1 of 1
11-022-CIP
CIP
PARCEL 9-T
PROJECT BRAND SUP
Version Date 11/20/12

**PARCEL 9-T
DESCRIPTION OF A TEMPORARY EASEMENT
FOR GRADING AND DRIVE CONSTRUCTION**

Situated in the State of Ohio, County of Franklin, City of Dublin, located in Virginia Military Survey Number 2543, being a part of a 1.000 acre tract in the name of Jennifer K. & Sean M. Smith, as recorded in Instrument No. 201008120103377, all records are referenced to the Franklin County Recorder's Office, and being more particularly described as follows:

Beginning, for reference, at the northwesterly corner of said 1.000 acre tract, said corner being on the centerline of Brand Road, and also being the northeasterly corner of a 0.343 acre tract in the name of the City of Dublin, as recorded in Plat Book 83, Page 3;

Thence, South 30°07'57" West, a distance of 32.00 feet, with the easterly line of said 0.343 acre tract, to the **True Place of Beginning** for the easement herein described:

Thence, South 59°52'03" East, a distance of 208.59 feet, leaving said line, being parallel with and 32.00 feet southwesterly from said centerline, running across said 1.000 acre tract, to the westerly line of a 0.184 acre tract in the name of the City of Dublin, as recorded in Plat Book 83, Page 3;

Thence, South 30°07'57" West, a distance of 12.00 feet, with said line, to a point, passing a 3/4" iron pipe (found) at the southwesterly corner of said 0.184 acre tract and the northwesterly corner of a 1.269 acre tract, known as the 4th amendment to the Villas of Earlington Condominium, as recorded in Condominium Plat Book 72, Page 21, at a distance of 8.00 feet;

Thence, leaving said line, running across said 1.000 acre tract, for the following three (3) calls:

- 1.) Thence, North 59°52'03" West, a distance of 30.00 feet, to a point;
- 2.) Thence, North 30°07'57" East, a distance of 9.00 feet, to a point;
- 3.) Thence, North 59°52'03" West, a distance of 178.59 feet, to the easterly line of said 0.343 acre tract;

Thence, North 30°07'57" East, a distance of 3.00 feet, with said line, to the **True Place of Beginning**, containing 0.021 acres more or less.

The bearings for this description are based on the bearing between Franklin County Engineer's stations "MCNEAL" and "FCGS 6648" being South 15°07'52" East, as measured using GPS methods and the Ohio State Plane Coordinate System, South Zone, NAD 83 (1986 Adjustment).

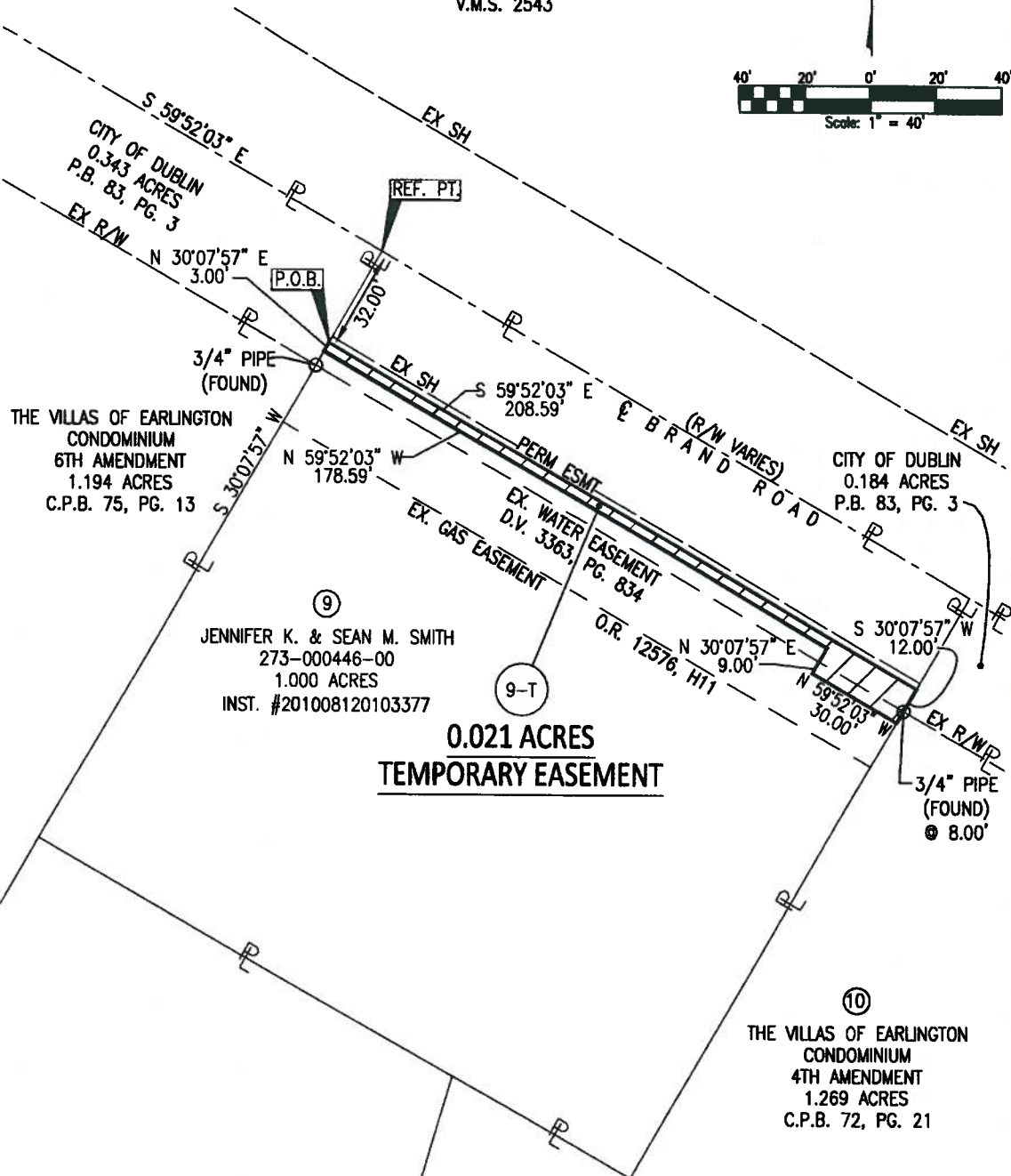
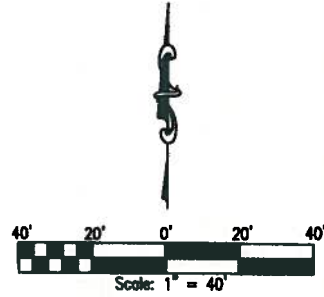
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John Jeffrey Raab, Ohio Registered Surveyor No 7863
Prepared by: W.E. Stilson Consulting Group, LLC.
Job No. 111013.00
(Auditor's Parcel No. 273-000446-00)


Date



EXHIBIT B
PARCEL 9-T
BRAND ROAD SHARED-USE PATH
CITY OF DUBLIN, FRANKLIN COUNTY, OHIO
V.M.S. 2543



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LEGEND:

○ IRON MONUMENT FOUND

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